

## **Exhibit 3**

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

	)	Case No.
IN RE: CATHODE RAY TUBE	)	3:14-CV-02510
(CRT) ANTITRUST LITIGATION	)	
	)	Pages 1-111
	)	

TRANSCRIPT DESIGNATED HIGHLY CONFIDENTIAL

VIDEOTAPED DEPOSITION OF ROSE YANG  
TAKEN ON  
FRIDAY, NOVEMBER 7, 2014

Reported by:

BRENDA R. COUNTZ, RPR-CRR

CSR NO. 12563

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1 BY MR. FUENTES:

2 Q. Can you tell me who some of those  
3 suppliers were?

4 A. There was Matsushita. There are some  
5 Taiwanese companies, Jean company, Delta  
6 Electronics. It's been a while so I -- I know  
7 there are a few others, I just can't remember  
8 names.

9 Q. Okay. Well, if at some point today we  
10 have a document that might refresh your memory, I  
11 might show it to you. So I appreciate your  
12 answer.

13 Let me ask you, from December 1, 1997  
14 through April 10, 2001, were you a supervisor of  
15 sourcing at Viewsonic?

16 A. Yes.

17 Q. Can you tell us what you did as a  
18 sourcing supervisor at Viewsonic at that time?

19 A. It was similar responsibility,  
20 sourcing, purchasing responsibility as the  
21 previous through months. I was still responsible  
22 for procuring spare parts to support our warranty  
23 and service.

24 The title change was reflected due to I  
25 hired additional assistants to help me issuing

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1           A.     Yes.

2                     MR. FUENTES:   One moment, please.

3                     (Discussion held off the record.)

4     BY MR. FUENTES:

5           Q.     So if you look at the second page of  
6     Exhibit 8005, ma'am, is this a purchase forecast  
7     for monitors to be purchased from Ta Tung?

8                     MR. HEAVEN:   Object to form.

9                     THE WITNESS:   Yes.

10    BY MR. FUENTES:

11           Q.     I'm sorry, what was the answer?

12           A.     Yes.

13           Q.     And so Viewsonic International was also  
14     purchasing monitors from Ta Tung on behalf of  
15     Viewsonic Corporation, isn't that right?

16                     MR. HEAVEN:   Object to form, misstates  
17     the document.

18                     THE WITNESS:   That's not correct.

19    BY MR. FUENTES:

20           Q.     Okay, how is that not correct?

21           A.     Viewsonic International does not issue  
22     POs on behalf of Viewsonic Corporation.  
23     Viewsonic International is a regional office that  
24     issued the purchase orders for the specific  
25     region.

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1 Q. And the Ta Tung company, isn't that  
2 also a company that's based in Taiwan and  
3 Thailand, Southeast Asia?

4 MR. HEAVEN: Object to form, calls for  
5 speculation.

6 THE WITNESS: I don't know exactly  
7 where the affiliates are.

8 BY MR. FUENTES:

9 Q. All right. Well, if a company that was  
10 a supplier of monitors to Viewsonic is located in  
11 the Southeast Asia region, that's the region for  
12 which Viewsonic International had responsibility,  
13 right?

14 A. No.

15 Q. Explain that to me, because Viewsonic  
16 International is located in Taiwan.

17 A. It does not matter where the supplier  
18 is located. But our business group who is  
19 located in the U.S. works with the supplier all  
20 over the world, negotiates the price, set all the  
21 business terms and get all the business terms and  
22 conditions set up.

23 Then it's the regional office, after  
24 everything, the pricing, all that is negotiated,  
25 regularly we, as the corporate office at the

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1 time, provided product specs, details and  
2 availability to the regional offices such as  
3 Viewsonic International for them to issue POs  
4 directly to those companies.

5 Q. So, it was the regional offices such as  
6 Viewsonic International which issued the purchase  
7 orders to companies like Ta Tung?

8 MR. HEAVEN: Object to form, misstates  
9 testimony.

10 THE WITNESS: Yes.

11 BY MR. FUENTES:

12 Q. I couldn't hear the answer. I think it  
13 was yes?

14 A. Yes, they issue POs after being  
15 instructed by the corporate office.

16 Q. So upon issuing the PO, would the next  
17 step be -- let me ask it a different way.

18 After Viewsonic International issued a  
19 purchase order to Ta Tung, did Ta Tung then  
20 supply the monitors after receiving payment for  
21 them?

22 A. No.

23 Q. Did Ta Tung give the monitor away for  
24 free?

25 A. There's payment terms negotiated based

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1 asking you about the organization, the way the  
2 organization is described, can you tell me if  
3 this page accurately describes the organizational  
4 structure, at least during the period in which  
5 you have worked for Viewsonic?

6 A. Yes.

7 Q. So if you see there's two boxes in the  
8 middle of the page, Regional and Corporate. And  
9 under Regional there's four boxes underneath  
10 that.

11 Do you see that?

12 A. Yes.

13 Q. Is VSE, Viewsonic Europe?

14 A. Yes, it is.

15 Q. And is Viewsonic Europe either a  
16 separate division of the company or is it  
17 actually a separate corporation, as far as you  
18 know?

19 A. It is a region, a sales region of the  
20 company.

21 Q. And the region that Viewsonic Europe  
22 covers is obviously Europe, correct?

23 A. That is correct.

24 Q. So Viewsonic Europe, as far as you  
25 know, is it involved at all in the purchase of

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1 monitors with CRTs in them from foreign  
2 suppliers?

3 MR. HEAVEN: Object to form, vague and  
4 ambiguous.

5 THE WITNESS: VSE is just like VSI,  
6 Viewsonic International is a sales region. Based  
7 on my understanding they issue their purchase  
8 orders based on the terms and conditions that the  
9 corporate business units negotiated with a  
10 supplier on the business terms and conditions,  
11 the products, the specs and the delivery dates  
12 and all those details.

13 Based on that information each regional  
14 office issued their purchase orders, which I  
15 don't see. That's my understanding. And the  
16 purchase orders, I believe, go to the suppliers.  
17 BY MR. FUENTES:

18 Q. Can you recall whether there were  
19 specific suppliers that Viewsonic Europe issued  
20 purchase orders to?

21 A. I don't know any specific supplier  
22 because I don't handle Viewsonic Europe  
23 purchases.

24 Q. Did Viewsonic Europe also assist with  
25 Viewsonic's sales of monitors with CRTs in them



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1 to foreign customers?

2 MR. HEAVEN: Object to form, vague.

3 THE WITNESS: Can you repeat your  
4 question?

5 BY MR. FUENTES:

6 Q. Sure. Did Viewsonic have customers,  
7 entities or people who bought monitors from  
8 Viewsonic? Did Viewsonic have customers in  
9 Europe?

10 A. Yes.

11 Q. And do you know whether Viewsonic  
12 Europe played any role in communicating with or  
13 coordinating business with those customers?

14 A. Yes. Each region issues their purchase  
15 order to supply the customers within that region.

16 Q. Now VSI, we talked about before.  
17 That's Viewsonic International based in Taiwan,  
18 right?

19 A. That is correct.

20 Q. And the suppliers and Viewsonic  
21 customers that VSI dealt with tended to be in  
22 Southeast Asia, correct?

23 MR. HEAVEN: Object to form, misstates  
24 testimony.

25 THE WITNESS: In Asia.

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1 BY MR. FUENTES:

2 Q. Okay. Is VSCN a regional department or  
3 entity that concerned itself with China?

4 A. Yes, VSCN is a regional office,  
5 regional sales office located in China.

6 Q. Did VSCN issue purchase orders to  
7 China-based suppliers of monitors with CRTs in  
8 them?

9 MR. HEAVEN: Object to form.

10 THE WITNESS: VSCN issues their  
11 purchase orders to suppliers, our corporate  
12 suppliers.

13 As for whether they are China based, I  
14 don't know.

15 BY MR. FUENTES:

16 Q. Is there any reason to think that VSCN  
17 having responsibility with China would not have  
18 dealt with suppliers that were based in China?

19 MR. HEAVEN: Object to form.

20 THE WITNESS: No. However, I know  
21 there were really specific guidelines for the  
22 region's sales office not to negotiate separate  
23 terms or any kind with the suppliers and really  
24 to have the business units negotiate the general  
25 terms.

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1 CRTs in them from Jean?

2 A. Can you repeat your dates again?

3 Q. Between 1995 and 2007. Did Viewsonic  
4 purchase monitors with CRTs in them from Jean at  
5 any point during that time?

6 A. Yes.

7 Q. And do you know whether Viewsonic  
8 International was the entity that then issued the  
9 purchase order for those types of purchases?

10 A. Yes, Viewsonic International is one of  
11 the regions issue PO's to the suppliers like  
12 Jean.

13 Q. So Viewsonic International did issue  
14 the purchase order for the purchases from Jean?

15 MR. HEAVEN: Object to the form,  
16 misstates testimony.

17 THE WITNESS: Yes.

18 BY MR. FUENTES:

19 Q. And then as to purchases of monitors  
20 from Jean, before those monitors arrived in the  
21 United States did Viewsonic International take  
22 possession of them at least temporarily before  
23 they were shipped here?

24 MR. HEAVEN: Object to form, vague and  
25 ambiguous, misstates testimony.

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1                   THE WITNESS: The products, the LCD  
2           monitors purchase orders issued by Viewsonic  
3           International, they don't come to the U.S., if  
4           that's what you were asking. They are delivered  
5           to Viewsonic International. It's Viewsonic  
6           America who issues its own purchase order will  
7           have the shipment come into Long Beach. So it's  
8           two separate transactions.

9                   So for a supplier, they would receive  
10          every month four purchase orders from each of  
11          Viewsonic's four regions and they will ship the  
12          shipments separately to each region.

13                  So for Viewsonic America, they will  
14          issue its own PO and the shipment will go to Long  
15          Beach, delivered to Viewsonic America at Long  
16          Beach.

17                  But then for any other region,  
18          Viewsonic Europe, then it's going to deliver to  
19          Europe directly.

20          BY MR. FUENTES:

21                  Q. So just to make sure I understand,  
22          there were some purchases of monitors with CRTs  
23          in them in which Viewsonic International issues  
24          the purchase order and takes possession before  
25          shipment to the United States?

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1           A.     No.

2           Q.     So there are some purchases in which  
3 Viewsonic International issues the purchase order  
4 and takes possession of the CRTs, of the monitors  
5 containing CRTs and then what happens to those  
6 monitors?

7           A.     Could you repeat your question?

8           Q.     Yeah. So you described a process in  
9 which Viewsonic International issues purchase  
10 orders and takes possession of goods and in which  
11 Viewsonic America issues purchase orders and  
12 takes possession of goods.

13                   You are describing two separate  
14 processes, right?

15           A.     No. They are actually the same  
16 process. Each region issues their own PO and  
17 they receive the products against those POs they  
18 issue. Then they sell those products within  
19 their own region.

20           Q.     And as for products that are destined  
21 for the United States, does Viewsonic  
22 International also issue purchase orders for any  
23 of those purchased monitors?

24           A.     No, they don't.

25           Q.     So when the Viewsonic regional entity

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1 THE WITNESS: I don't recall anything  
2 other than U.S. dollars.

3 BY MR. FUENTES:

4 Q. Ms. Yang, do you see the upper-left  
5 corner of the document where the Viewsonic name  
6 appears?

7 A. Yes.

8 Q. And then there's an address underneath  
9 it for the Brea Canyon Road location of  
10 Viewsonic's offices in Walnut, California, do you  
11 see that?

12 A. Yes, I do.

13 Q. Can you tell us why the U.S. address of  
14 Viewsonic appears in this purchase order?

15 MR. HEAVEN: Object to form, lacks  
16 foundation, calls for speculation.

17 THE WITNESS: I don't know why this  
18 Viewsonic U.S. address is on there. I don't know  
19 the exact reason what this setup is on this  
20 purchase order, the format.

21 But all I know is because after the  
22 negotiation that all the terms and business, the  
23 pricing and all that is negotiated. The supply  
24 were received, like I said earlier, for this PO,  
25 purchase orders, from four different regions, and

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1 the pricing has already been negotiated by the  
2 corporate.

3 So each region would issue purchase  
4 orders with the same dollar amount that has been  
5 negotiated but only with the quantity each region  
6 wants to order. So, I don't know if that has  
7 anything related to that.

8 But from the supplier side, they know  
9 everything is coordinated through the corporate  
10 which is Viewsonic Corporation.

11 BY MR. FUENTES:

12 Q. And if you look in the upper-right  
13 corner above the Viewsonic International address,  
14 there's a box that says "Ship to."

15 Do you see that?

16 A. Yes.

17 Q. And this first page of the document as  
18 well as the succeeding pages in the exhibit  
19 contain the words "VSI in transit."

20 Do you see that?

21 A. Yes.

22 Q. Do you have any idea what that means in  
23 terms of ship to VSI in transit?

24 A. I don't.

25 Q. Is there anything about the type of

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1 BY MR. FUENTES:

2 Q. Okay. Is there anything at all in any  
3 of these pages of Exhibit 7256 that indicates to  
4 you that any of the products would ultimately be  
5 sold in the United States?

6 MR. HEAVEN: Same objections.

7 THE WITNESS: If the purchase order is  
8 issued by Viewsonic International, they would  
9 only be going to VSI's coverage. It would not  
10 come to the U.S.

11 BY MR. FUENTES:

12 Q. Ms. Yang, what did you do to prepare  
13 for today's deposition?

14 A. Meeting with my lawyers.

15 Q. How many times did you do that?

16 A. One time.

17 Q. And when was it?

18 A. Wednesday, this Wednesday.

19 Q. Who was present?

20 A. It was Astor and Drew.

21 Q. How long did you guys meet?

22 A. About two hours.

23 Q. Were you shown any documents?

24 A. No.

25 Q. Were there any documents that you



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1                   THE WITNESS: I don't. I believe that  
2                   we do rotate them anyway so I don't believe that  
3                   one individual has managed one particular account  
4                   for a very long time. That's not how it works.  
5                   So it must have different people managing the  
6                   account.

7                   BY MR. GOLDSTEIN:

8                   Q. And these sourcing agents we've been  
9                   talking about, is that for all of Viewsonic  
10                  internationally or only for Viewsonic America?

11                  A. For the whole corporation. So these  
12                  people work for the corporate and they negotiate  
13                  for standard terms and conditions so that every  
14                  region would share the same cost, payment terms,  
15                  delivery time, all the business terms.

16                  Q. And moving on in time from 2001 to 2003  
17                  when you were the global planning manager, do you  
18                  remember if the names of the sourcing agents  
19                  changed at all during that time?

20                  A. I believe some people have left the  
21                  company. I think at that time Bodil Chen was  
22                  still one of the CRT sourcing agents. And I  
23                  can't remember who else. But I think also  
24                  because gradually the CRT volume gets lower, so  
25                  how they allocated resource also shifted as well

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1 Q. Ever. Have you ever held the title of  
2 Viewsonic Large Screen Display Manager?

3 A. For a very short period of time I think  
4 yes. I don't recall exactly was that the title  
5 but it sounds familiar.

6 Q. Okay. Do you know if, in that role, if  
7 you had any involvement, if that involved CRTs --  
8 CRT products, rather?

9 A. No. If you are talking about large  
10 screen display, I want to say it's projector. I  
11 know I was working on projector. I was in the  
12 projector BU for maybe around a year or less but  
13 that was only for projector products.

14 Q. Okay.

15 MR. BLACK: Those are all the questions  
16 I have.

17 MR. HEAVEN: I have just a couple of  
18 questions.

19 EXAMINATION

20 BY MR. HEAVEN:

21 Q. Good afternoon, Ms. Yang. Thank you  
22 for your time today. I appreciate it.

23 I want to clarify a couple of things  
24 that you were asked earlier so this should only  
25 take a couple of minutes, unless counsel has a

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1 bunch of objections which hopefully they don't.

2 You testified just now that the CRT  
3 purchasing agents and Bonnie Chang negotiated the  
4 standard terms and conditions for the sales  
5 regions, do you recall that?

6 A. Yes.

7 Q. And those are the standard terms and  
8 conditions that were included in the OEM  
9 contracts, is that right?

10 MR. GOLDSTEIN: Objection to form.

11 THE WITNESS: Yes.

12 BY MR. HEAVEN:

13 Q. These purchasing agents, were they part  
14 of Viewsonic Corporation?

15 A. Yes.

16 Q. And Viewsonic Corporation was the  
17 corporate entity; is that correct?

18 A. Yes.

19 Q. And where were they located?

20 A. During what time frame?

21 Q. In the 1997 --

22 A. They are in Walnut, California.

23 Q. And where did these negotiations occur  
24 for the standard terms and conditions?

25 A. In our office in Walnut, California.

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1 Q. And did these negotiations include  
2 price terms as well?

3 A. Yes.

4 Q. And those negotiations happened in  
5 California as well, is that right?

6 A. That is correct.

7 Q. Did the sales regions have authority to  
8 deviate from the negotiated terms and conditions?

9 A. No, they didn't.

10 Q. And did the regions have authority to  
11 deviate from the prices that were negotiated?

12 A. No.

13 MR. HEAVEN: Okay, that's all I have.

14 FURTHER EXAMINATION

15 BY MR. GOLDSTEIN:

16 Q. Ms. Yang, you were just asked where the  
17 Viewsonic purchasing agents were located and you  
18 asked Mr. Heaven to clarify the time frame?

19 A. Yes.

20 Q. Is that because the location of the  
21 purchasing agents changed over time?

22 A. Yes.

23 Q. How did it change?

24 A. Our business unit transferred from the  
25 U.S. to Taipei. I don't remember exactly when.

1 STATE OF CALIFORNIA ) SS  
2 COUNTY OF LOS ANGELES )

3 I, BRENDA R. COUNTZ, Certified Shorthand  
4 Reporter No. 12563 for the State of California,  
5 do hereby certify:

6 That prior to being examined, the  
7 witness named in the foregoing deposition was  
8 duly sworn to testify the truth, the whole truth,  
9 and nothing but the truth;

10 That said deposition was taken down by  
11 me in shorthand at the time and place therein  
12 named and thereafter transcribed and that the  
13 same is a true, correct, and complete transcript  
14 of said proceedings.

15 Before completion of the deposition,  
16 review of the transcript [ ] was [ ] was not  
17 requested. If requested, any changes made by the  
18 deponent during the period allowed are appended  
19 hereto.

20 I further certify that I am not  
21 interested in the outcome of the action.

22 Witness my hand this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

23  
24 \_\_\_\_\_  
25 Brenda R. Countz, CSR No. 12563